

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

CLEANUP AND ABATEMENT ORDER NO. 98-048

REQUIRING MR. MITCHELL SALMONSON, MR. RICHARD SALMONSON AND MR. MARK WEINSTEIN AS OPERATORS OF THE HACIENDA VASQUEZ MOBILEHOME PARK AT 32590 AGUA DULCE CANYON ROAD, AGUA DULCE, TO CLEAN UP AND ABATE UNHEALTHFUL CONDITIONS AND THE POTENTIAL POLLUTION OF CALIFORNIA'S WATER RESOURCES DUE TO THE RELEASE OF RAW SEWAGE FROM MALFUNCTIONING SEPTIC SYSTEMS.

The California Regional Water Quality Control Board, Los Angeles Region, finds:

1. The Hacienda Vasquez Mobilehome Park (Park) is a mobile home community that is located on 11.4 acres at 32590 Agua Dulce Canyon Road, Agua Dulce, California. Since 1988, the Park has been owned by Mitchell and Richard Salmonson (Operators). Mitchell Salmonson holds an 80 percent interest in the park. The Operators provide about 20 septic systems for the subsurface treatment and disposal of domestic wastewaters from the residents in the Park. The Park has spaces for 65 mobile homes.
2. The State Department of Housing and Community Development (State DHCD) issues annual operating permits for mobile home parks, including the design, installation, and operation of septic systems. In November 1997, Hacienda Vasquez (Park ID 19-1363) was issued its last annual permit.
3. In 1994, the State DHCD began receiving complaints from residents in the Park, who were exposed to raw sewage from malfunctioning septic systems. On April 26, 1994, the State DHCD issued a Correction Order to the Operators to pump and maintain the septic systems and to install proper access covers. State DHCD's subsequent investigations over the next two years revealed that the Operators had not taken appropriate action to correct the problems per the direction of the Correction Order.
4. On May 25, 1996, as a result of prosecution by the State DHCD and the Los Angeles County District Attorney, Mr. Mitchell Salmonson (one of the Operators) was sentenced to 30 days in jail for violations of local and state health codes, including failure to repair the known problems.
5. On May 30, 1996, the State DHCD found a total of 296 violations in the Park, 83 of which it found were the direct responsibility of the Operators. By August 7,

- 1996, 73 violations remained unaddressed, and 31 new violations were found in the Park. Problems included sewer overflows, inoperable lift stations, raw sewage pools, uncovered or improperly covered sewer access holes, and other health and safety violations of the State DHCD annual permit.
6. On August 29, 1996, the Los Angeles Superior Court ordered Mr. Salmonson to correct all remaining violations and to obtain a permit from State DHCD to repair the septic systems.
 7. From January 1997 through March 1997, residents continued filing complaints with the County of Los Angeles County Department of Health Services and the State DHCD. State DHCD investigations confirmed that most violations remained uncorrected.
 8. On April 25, 1997, the County of Los Angeles Superior Court sentenced Mr. Mitchell Salmonson to four years in the California State Prison for his negligence and failure to correct the problems at Hacienda Vasquez. In July 1997, the court appointed a receiver for the property, Mr. Mark Weinstein of JMW Investments, located in Santa Monica. As receiver, Mr. Mark Weinstein is the legally recognized party with authority to enter the property in order to carry out the requirements described herein.
 9. On March 6, 1998, Mr. Mitchell Salmonson filed for bankruptcy.
 10. On April 15, 1998, the State DHCD revoked the operating permit for the Park (ID No. 19-1363). During May and June 1998, the receiver and Los Angeles County Community Development Commission began serving eviction notices to the residents, some of whom were legitimate residents and some of whom were apparently "squatters." To date, however, many residents have refused to leave.
 11. Mitchell and Richard Salmonson, and Mr. Mark Weinstein, in his capacity as receiver, are hereafter referred to as "Dischargers."
 12. During the winter storm season of 1997/98, El Nino conditions resulted in precipitation that was significantly above average. This high level of precipitation has resulted in a high water table. The high water table has further impaired the ability of septic systems at the Park to treat and dispose of wastewaters.
 13. On June 12, 1998, an investigation by Regional Board staff revealed widespread failure of septic systems. Staff observed raw sewage that was seeping out of most septic systems and collecting in ponds. Furthermore, the access holes to the septic systems were inadequately covered by plywood sheets, posing the threat of bodily harm to the residents. Additionally, a foul odor pervaded the entire park. The reliance on septic systems for disposal of wastewaters from a high density

community such as Hacienda Vasquez is a threat to the underlying groundwater, which is a source of drinking water.

14. On June 29, 1998, Richard Salmonson contacted Regional Board staff and indicated that he wants to close the Park. He understands that the soil is not suitable for septic systems. He claims that some park residents have prevented him from closing the park through legal actions.
15. The dischargers have caused or permitted, cause or permit, or threaten to cause or permit waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and create, or threaten to create, a condition of pollution or nuisance.
16. This action is taken for the protection of the environment and as such is exempt from the California Environmental Quality Act in accordance with California Code of Regulations, Title 14, Chapter 3, Section 15321.

It is hereby ordered, pursuant to California Water Code, Section 13304, that the Dischargers shall comply with the following:

1. Cleanup and abate the condition of pollution, nuisance, and the threat to public health and water quality that is caused by the discharge of sewage, by implementing the following actions:
 - a. Access should be restricted to any persons interfering with the fulfillment of the requirements of this Cleanup and Abatement Order.
 - b. Properly abandon all septic systems at the Park.
 - c. Remove and properly dispose of all contaminated soil and sewage from the Park.
 - d. Conduct a Site Assessment with a proposed time schedule including:
 - i. Description of pollution and its source(s);
 - ii. Whether pollution has been abated;
 - iii. Site assessment done to determine the extent of pollution; and,
 - iv. Impacts of pollution on beneficial uses of receiving waters, including groundwater and nearby surface waters
 - e. Conduct activities specified in Items a, b, and c above, according to the schedule of work shown in Attachment A, or subsequent revised time schedules submitted to, and approved by, the Executive Officer as the work proceeds.
 - f. Submit monthly progress reports detailing all activities implemented and results obtained during the previous month, as required by this Order, to

this Board by the 15th day of each month commencing with August 15, 1998. These reports may be in letter format. Changes in the frequency of reporting are subject to the approval of the Executive Officer.

- g. Submit a final report to this Board, describing all activities and confirmatory results of cleanup operations when all phases of investigation and cleanup, as detailed in Attachment A, are completed.
2. This Order is not intended to stop or redirect any other investigation or cleanup or remediation programs ordered by this Board or any other agency.
3. This Order in no way limits the authority of the Board, as contained in the California Water Code, to institute additional enforcement actions or to require additional investigation and cleanup pertinent to this site. This Order may be revised by the Executive Officer as additional information on the site becomes available. Upon request by the owner, and for good cause shown, the Executive Officer may delete or extend the date of compliance for any action required of the owner, under this Order.
4. The Executive Officer is authorized to take appropriate action, pursuant to Sections 13268 and 13350 of the California Water Code, against the Operator for any non-compliance with this Order, including assessments of penalties in the amount of up to \$5,000.00 per day for each day on which any technical data requested by this Cleanup and Abatement Order is not submitted.
5. If the Operator fails to comply with any provisions of this Order, the Executive Officer is authorized to request the Attorney General to take appropriate action against the Operator, including injunction and civil monetary remedies, pursuant to sections of the California Water Code including, but not limited to, 13304, 13350, 13385, and 13386.
6. In the event that the Operators plan to redevelop the Park, the Operators must file a Report of Waste Discharge with this Regional Board, describing the way in which the Operators propose to treat and discharge wastewaters. Any discharge of wastewaters is subject to Waste Discharge Requirements prescribed by this Regional Board.

Ordered by: _____
DENNIS A. DICKERSON
Executive Officer

Dated: June 30, 1998

ATTACHMENT A

<u>Item</u>	<u>Due Date</u>
1. Access should be restricted to any persons interfering with the fulfillment of the requirements of this Cleanup and Abatement Order.	<i>July 06, 1998</i>
2. Cleanup raw sewage and all contaminated soil: a. Pump and properly abandon all septic tanks; b. Vacuum all pools of raw sewage; c. Excavate all contaminated soil.	<i>August 06, 1998</i>
3. Submit a workplan for a Site Assessment with a proposed time schedule including: a. Description of pollution and its source(s); b. Whether pollution has been abated; c. Site assessment done to determine the extent of contamination; and, d. Impacts of contamination on beneficial uses of receiving waters, including groundwater and nearby surface waters.	<i>July 27, 1998</i>